IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application for:	Examiner: Szeto, Jack W.
Robert A. Dunstan	Art Group: 2113
Application No.: 10/644,628	Confirmation No. 7514
Filed: 08/19/2003	
For: POWER BUTTON AND DEVICE WAKE EVENT PROCESSING METHODS IN THE ABSENCE OF AC POWER	

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appellant's Brief

Dear Sir:

This appeal arises from a final decision by the Examiner, mailed August 22, 2006. The final decision was in response to arguments filed on June 16, 2006, in response to an earlier office action, mailed April 7, 2006.

Appellants respectfully request consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the present patent application.

(1) Real Party In Interest

The real party in interest is Intel Corporation of Santa Clara, CA.

(2) Related Appeals And Interferences

To the best of Appellants' knowledge, there are no appeals or interferences related to the present appeal, which will directly affect, be directly affected by, or have a bearing on the Board's decision.

(3) Status Of The Claims

Claims 1-30 are pending and rejected in the Final Office Action dated August 22, 2006. The rejections of all claims are appealed. All claims are reproduced in Appendix A.

(4) Status of Amendments

No amendments have been taken since the Final Office Action dated August 22, 2006.

(5) Summary of the invention

Independent claim 1 is directed towards a method. Support for each limitation of claim 1 in the form of figure elements corresponding to each limitation and portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

In an apparatus, a method of operation comprising:

receiving a state signal signaling whether the apparatus is in an AC failure state; (**page 7, lines 1-4 and 11-18; figure 1, reference 136, page 11, lines 21-22, and 25 through page 12, line 2; figure 2b, reference 136, page 12, lines 10-16; figure 3 reference 302; page 13 lines 20-26; figure 4, reference 402**)

receiving a power button event signal signaling an event associated with a power button of the apparatus; and (**page 7, lines 19-21; figure 1, reference 144**)

negating the power button event signal if the state signal signals the apparatus is in the AC failure state. (**page 8, lines 5-8, page 11, lines 8-10; page 14, line 19 through page 15, line 13; figure 5 reference 502**

(AND gate 502 suppresses power button signal 144 when signal 136 denotes the absence of AC power))

Independent claim 8 is directed towards a method. Support for each limitation of claim 8 in the form of figure elements corresponding to each limitation and portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

In an apparatus, a method of operation comprising:

receiving a state signal signaling whether the apparatus is in an AC failure state; (**page 7, lines 1-4 and 11-18; figure 1, reference 136, page 11, lines 21-22, and 25 through page 12, line 2; figure 2b, reference 136, page 12, lines 10-16; figure 3 reference 302; page 13 lines 20-26; figure 4, reference 402**)

receiving a device wake event signal signaling a device wake event of the apparatus; and (**page 7, lines 19-21; figure 1, reference 144**)

negating the device wake event signal if the state signal signals the apparatus is in the AC failure state. (**page 8, lines 5-8, page 11, lines 8-10; page 14, line 19 through page 15, line 13; figure 5 reference 502 (AND gate 502 suppresses power button signal 144 when signal 136 denotes the absence of AC power)**)

Independent claim 13 is directed towards a system. Support for each limitation of claim 13 in the form of figure elements corresponding to each limitation and portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

A system comprising:

an arrangement to generate a state signal signaling whether the system is in an AC failure state; and (**page 7, lines 1-4 and 11-18; figure 1, reference 136, page 11, lines 21-22, and 25 through page 12, line 2; figure 2b, reference 136, page 12, lines 10-16; figure 3 reference 302; page 13 lines 20-26; figure 4, reference 402**)

a first circuit coupled to the arrangement to receive the state signal and a power button event signal indicating an event associated with a power button of the system, and to negate the power button event signal if the state signal signals the AC failure state. (**page 14, line 19 through page 15, line 13; figure 5 reference 502**)

Independent claim 20 is directed towards a system. Support for each limitation of claim 20 in the form of figure elements corresponding to each limitation and portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

A system comprising:

an arrangement to generate a state signal signaling whether the system is in an AC failure state; and (**page 7, lines 1-4 and 11-18; figure 1, reference 136, page 11, lines 21-22, and 25 through page 12, line 2; figure 2b, reference 136, page 12, lines 10-16; figure 3 reference 302; page 13 lines 20-26; figure 4, reference 402**)

a first circuit coupled to the arrangement to receive the state signal and a device wake event signal signaling a device wake event of the system, and to negate the device wake event signal if the state signal signals the AC failure state. (**page 14, line 19 through page 15, line 13; figure 5 reference 502**)

Independent claim 26 is directed towards an apparatus. Support for each limitation of claim 26 in the form of figure elements corresponding to each limitation and portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

An apparatus comprising:

a first input terminal to receive a first signal indicating presence or absence of AC to a power supply of a system; (**figure 5, reference 136; page 14, lines 23-25**)

a second input terminal to receive a second signal indicating a power button event of the system; and (**figure 5, reference 144; page 14, lines 21-23**)

a first combiner circuit element coupled to the first and second input terminals to combine the two signals to negate the second signal whenever the first signal signals absence of AC to the power supply. (**figure 5, reference 502; page 14, line 15 through page 15, line 13**)

Independent claim 29 is directed towards an apparatus. Support for each limitation of claim 29 in the form of figure elements corresponding to each limitation and

portions of the Specification given by page and line numbers for each limitation is shown, inline. In particular:

An apparatus comprising:

a first input terminal to receive a first signal indicating presence or absence of AC to a power supply of a system; (**figure 5, reference 136; page 14, lines 23-25**)

a second input terminal to receive a second signal indicating a device wake event of the system; and (**figure 5, reference 144; page 14, lines 21-23**)

a first combiner circuit element coupled to the first and second input terminals to combine the two signals to negate the second signal whenever the first signal signals absence of AC to the power supply. (**figure 5, reference 502; page 14, line 15 through page 15, line 13**)

(6) Issues Presented

I. Whether claims 1-30 are properly rejected under 35 USC §112, first paragraph and whether the specification has been properly objected to for containing new matter.

II. Whether Claims 1-30 are patentable under 35 U.S.C. §103(a).

(7) Arguments

I. Rejection of claims 1-30 under 35 U.S.C. §112, first paragraph, was improper because the claims are supported by the original disclosure.

In the above captioned Final Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. §112 first paragraph for failure to comply with the written description requirement. Examiner has also objected to the specification as incorporating new matter not presented at filing.

35 U.S.C. §112 first paragraph requires:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and

use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Thus, the specification must include a written description sufficient to enable one of ordinary skill in the art to make and use the invention claimed. However, applicants are prohibited from amending the specification to include subject matter that was not in the specification as originally filed. 35 U.S.C. §132(a). The specification, however, includes the claims as well as the written description. 35 U.S.C. §112, ¶ 2. Thus, amendments to the specification do not add new matter when the amendments present matter included within the originally filed description, abstract, drawings, or claims. *In re Benno*, 768 F.2d 1340, 1346 (Fed. Cir. 1985). The PTO determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction "in light of the specification as it would be interpreted by one of ordinary skill in the art." *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed Cir. 2004). Reading limitations from the specification into the claims, however, is not appropriate. *In re Prater*, 415 F.2d 1393, 1404-1405 (CCPA 1969).

For purposes of this discussion, claim 1 – which has never been amended – is exemplary and claims:

> In an apparatus, a method of operation comprising:
>
> receiving a state signal signaling whether the apparatus is in an AC failure state;
>
> receiving a power button event signal signaling an event associated with a power button of the apparatus; and
>
> **negating** the power button event signal if the state signal signals the apparatus is in the AC failure state.

The method of claim 1 is part of a larger scheme as described in the specification and related applications. The overall concept provides for the BIOS of a computer system to store a persistent copy of the system's operational state in permanent storage while the Operating System suspends the computer to memory in the event of an AC power outage. Thus, the operational state of the system can either be resumed from

memory if AC power is restored prior to backup power exhaustion or resumed using the persistent copy of the operational state if backup power exhausts before AC power is restored. However, resuming the system from a suspend-to-memory state is faster than restoring the operational state after the system is completely shut down. Thus, while the system is suspended to memory, it is advantageous to maintain the system in a low-power mode so as to maximize the amount of time the system can be sustained by backup power. It is therefore also advantageous to prevent a user from turning on or waking the system while it is suspended to memory, as doing so would more quickly drain backup power. This last part is the focus of claim 1.

The §112 first paragraph rejection arose after Applicant amended the written description, which originally contained both the words "ignore" and "negate", to replace all instances of the word "ignore", and its derivatives, with the word "negate", or its derivatives. Examiner asserts in the Final Office Action that applicant "blatantly committed addition by deletion." In particular, Examiner seems to say that Applicant's original disclosure, which contained both the word "negate" as well as the word "ignore", defined the word "negate" in such a way as to incorporate the word "ignore". Thus, removing the word "ignore" from the specification prompted Examiner's rejection of claims 1-30 under 35 U.S.C. §112 first paragraph, because the claims were, according to Examiner, no longer supported by the specification.

First, Applicant points out that nowhere within the specification does Applicant explicitly define "negate." Thus, Examiner can only be interpreting the word "negate" to encompass a meaning similar to the meaning of the word "ignore" based on the overall disclosure. Applicant respectfully submits that such a reading inappropriately incorporates a limitation from the specification into the claims.

Second, Applicant points out that the "negate" / "ignore" dichotomy is in some sense a false one. The original disclosure used the word "suppress" multiple times (in addition to the words "negate" and "ignore") to describe the methods, systems, and apparatuses claimed in the application. Thus, the meaning of the original disclosure is not a choice between "negate" and "ignore", but rather requires that the claims be viewed in light of the disclosure as a whole, including the word "suppress".

Applicant used the words “negate”, “negated” or “negating” in 11 of the original 30 claims. None of original 30 claims used the word “ignore”. Further, Applicant used the word “negate” and its variants at least 3 times in the original specification and abstract in support of the claims. For example, page 15, line 4, page 15, line 12, and the abstract, line 5.

Applicant used the word “ignore” in the specification not considering at the time of filing that the word would have a meaning substantially different from the word “negate”. However, in light of the prior art references cited by the Examiner, it appeared that there was a distinction between the two words. Therefore, Applicant undertook to amend the Specification to conform the description to the claims, which as stated earlier unequivocally recited the invention using the word “negate”, and not once used the word “ignore”.

In light of the fact that the words “negate”, “ignore”, and “suppress” appear throughout the original disclosure, Applicant submits that there are two possibilities. The first is that applicant included within the original description two or more sets of embodiments. In a first set, the system “ignores” while in a second set, the system “negates”. Thus, under this interpretation of the original disclosure, the methods, systems, and apparatuses originally disclosed *either* negate *or* ignore. Thus, erasing all instances of the word “ignore” would delete from, not add to, the specification. The claims would find no less support within the original disclosure than before. As a result, the Examiner’s objection and rejection under §112 would therefore be improper. Applicant submits that this would be a fair reading of the original disclosure.

The second possibility is that there was only one set of embodiments disclosed in the original application. If that is the case, then the original disclosure – which includes the words “negate”, “ignore”, and “suppress” – would have to be interpreted to determine what it was that applicant disclosed in the original disclosure. It appears to be Examiner’s contention that the disclosure should be interpreted as a single set of embodiments and that, further, the word “negate” in the claims and original disclosure should be interpreted as a synonym for “ignore”.

Figure 5 and corresponding text (page 14 line15 through page 15, line 13) describe an embodiment of a circuit that incorporates the teachings of the original disclosure. Figure 5 shows a circuit for suppressing a power button signal when AC power is unavailable. AND gate **502** is shown with AC power signal input **136** which may be, in embodiments, set to 1 when AC power is available and set to 0 when AC power is unavailable. Also shown is power button or device wake event signal input **144** which may be, in embodiments, set to 1 when the power button is pressed. The signal output **134** of AND gate **502**, as described in the accompanying text cited above, substitutes for the power button device interrupt. In other words, the circuit of figure 5 is inserted into the power button interrupt circuit. Thus, when a user presses the power button – setting power button or wake event signal **144** to 1 – and AC power is *available* – setting AC power signal input **136** to 1 – the output of AND gate **502** is driven to 1 signaling the system to power on. However, if AC power is *unavailable*, signal input **144** is *suppressed* and the output of AND gate **502** is driven to 0.

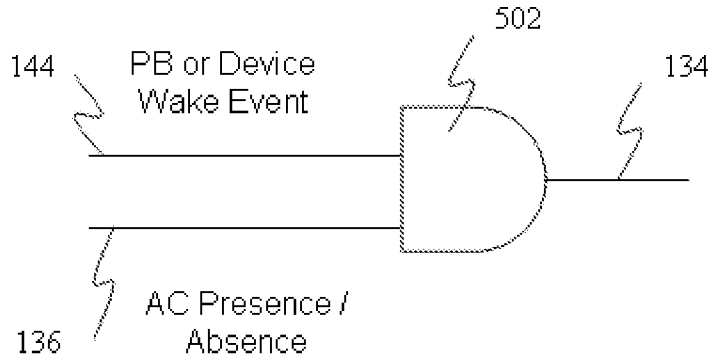

Figure 5

In this way, the power button / wake event signal is *actively suppressed*. Applicants therefore submit that the use of the word "negate" in claim 1, interpreted in light of the specification as a whole – especially figure 5 and the accompanying disclosure as originally filed – indicates that it should be interpreted to be an affirmative act rather than a passive one. Interpreting "negate" to be synonymous with or similar to a passive interpretation of "ignore" is contrary to a common sense reading of the specification.

Therefore, Applicant submits that – under this reading of the specification – amending the specification to eliminate all references to "ignore" does not constitute, as examiner contends, "addition by deletion," but rather a *clarification* of what Applicant

had disclosed as his invention in the original disclosure. In other words, removing all instances of the word "ignore" from the specification does not alter the definition of the word "negate" in the claims, but rather allows one of ordinary skill in the art to more clearly understand the subject matter claimed by applicants as their invention.

Therefore, Applicant submits that either the original disclosure contained multiple embodiments including an embodiment which "negated" the power button event signal, or the disclosure contained a single set of embodiments in which the power button event signal is "negated" in an active sense. Under either interpretation, claim 1 is supported by the disclosure and the deletion of the word "ignore" did not constitute "addition by deletion". Therefore, Examiner's rejection of claims 1-30 and objection to the specification, under §112 first paragraph, were improper.

II. Rejection of claims 1-30 under 35 U.S.C. §103 was improper because Westerinen, alone and in combination with Cooper, failed to teach or suggest negation of a power button/wake event.

In the Final Office Action, claims 1-30 were rejected under 35 USC § 103(a) as being unpatentable over Westerinen et al. (US Patent No. 2004/0088589), in further view of Cooper et al. (US Patent No. 5,838,982).

To establish obviousness under 35 U.S.C. § 103, the Examiner must view the invention as a whole. Further, the Examiner is to perform the obviousness analysis in accordance with the standard set forth by the Supreme Court in Graham v. John Deere Co., 383 U.S. 1 (1966). That standard requires that the Examiner (1) determine the scope and content of the prior art; (2) ascertain the differences between the prior art and the claims in issue; (3) resolve the level of ordinary skill in the art; and (4) evaluate evidence of secondary considerations. Id. at 17-18; see also MPEP 2141. Secondary considerations include whether the invention met with commercial success, whether the invention answered a long felt need, and whether others attempting the invention have failed. Graham, 383 U.S. at 17-18. Further, in applying the Graham framework, the Examiner must consider the invention as a whole, without the benefit of hindsight. MPEP 2141.

For a claimed invention to be nonobvious, there must be no teaching, suggestion, or motivation to modify the prior art to achieve the claimed invention. In re Royka, 490 F.2d 981 (CCPA 1974). Such as showing may be implicit, but "the test for an implicit showing of a teaching, suggestion, or motivation, is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000).

Regarding independent claims 1, 8, 13, 20, 26 and 29, claim 1 is exemplary and claims:

> In an apparatus, a method of operation comprising:
>
> receiving a state signal signaling whether the apparatus is in an AC failure state;
>
> receiving a power button event signal signaling an event associated with a power button of the apparatus; and
>
> **negating** the power button event signal if the state signal signals the apparatus is in the AC failure state.

As discussed in section I above, the method of claim 1 is part of a larger scheme whereby a computer system is advantageously suspended to memory sustained by backup power in the event of AC power loss, but with a persistent copy of the operational state of the computer saved in the event that backup power is exhausted prior to AC power restoration. To prevent backup power from being exhausted quickly, it is desirable to prevent the user from powering up the system while suspended to memory. To this end, the method of claim 1 negates a power button event signal whenever the user presses the power button and AC power is unavailable.

Westerinen discloses a computer system that, among other things, detects an AC power outage and puts the computer into hibernation mode using backup power. Once the system is in hibernation mode, a persistent copy of the system's state data is saved. *Next, the power supply disconnects the battery to preserve battery power and the system goes into a powered-off state*. When AC power returns, the power management controller brings the system back into hibernation state and a user may

then wake up the system by pressing the power button. (Westerinen, paragraphs [0033] – [0035].) As pointed out by the Examiner, Westerinen fails to disclose negating a power button event signal when AC power is unavailable. Rather, Cooper is cited for that final element.

In contrast to claim 1, however, Cooper merely teaches *verifying* system power availability when the power button is pressed and checking for other power sources in the absence of system power [e.g. figure 2, column 3, lines 37-38, and column 3, lines 41-43]. The system of Cooper does not negate a power button event signal if there is available backup power but no AC; instead it powers on the system, *the exact opposite of negating*. Put another way, Cooper discloses what is essentially unremarkable: that if no power source is available, the computer system will not turn on. Therefore, Applicant submits that negating a power button event signal in the absence of AC power is neither taught nor suggested by Cooper.

Furthermore, there could have been no suggestion to modify Westerinen to achieve the method of claim 1. As discussed above, the system of Westerinen disconnects battery power after putting the system into hibernation mode when AC power is unavailable. A user pressing the power button while the Westerinen system is in the hibernated / powered down state would have no effect. In fact, without either AC or backup power to generate one, *there would be no power button event signal to negate*. Therefore, adding the method of claim 1 to the system of Westerinen would simply have no affect. Accordingly, Applicant submits that there could have been no suggestion to one of ordinary skill in the art to modify Westerinen to achieve the method of claim 1, because doing so would neither have a practical affect nor achieve a useful purpose.

For at least the above reasons, applicant respectfully submits that claims 1, 8, 13, 20, 26 and 29 are patentable over Westerinen, alone or in combination with Cooper.

Claims 2-7 depend and add to on claim 1, with all its recitation. For at least the same reason as claim 1, claims 2-7 are therefore also patentable over Westerninen, and in further view of Cooper.

Claims 9-12 depend and add to on claim 8, with all its recitation. For at least the same reason as claim 8, claims 9-12 are therefore also patentable over Westerninen, and in further view of Cooper.

Claims 14-19 depend and add to on claim 13, with all its recitation. For at least the same reason as claim 13, claims 14-19 are therefore also patentable over Westerninen, and in further view of Cooper.

Claims 21-25 depend and add to on claim 20, with all its recitation. For at least the same reason as claim 20, claims 21-25 are therefore also patentable over Westerninen, and in further view of Cooper.

Claims 27-28 depend and add to on claim 26, with all its recitation. For at least the same reason as claim 26, claims 27-28 are therefore also patentable over Westerninen, and in further view of Cooper.

Claim 30 depends and adds to on claim 29, with all its recitation. For at least the same reason as claim 29, claim 29 is therefore also patentable over Westerninen, and in further view of Cooper.

(8) Conclusion

Appellants respectfully submit that all the appealed claims in this application are patentable and request that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

We do not believe any fees, in particular extension of time fees, are needed. However, should that be necessary, please charge our Deposit Account No. 500393.

In addition, please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

Appellant Applicant

Dated: 01/18/2007

/Richard B. Leggett/

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Appendix A: Claims As Pending

1. (Original) In an apparatus, a method of operation comprising:

receiving a state signal signaling whether the apparatus is in an AC failure state;

receiving a power button event signal signaling an event associated with a power button of the apparatus; and

negating the power button event signal if the state signal signals the apparatus is in the AC failure state.

2. (Original) The method of claim 1, wherein the method further comprises

monitoring for absence of AC to a power supply of the apparatus; and

generating a power signal signaling AC failure on detection of absence of AC to the power supply.

3. (Original) The method of claim 2, wherein the monitoring and generating are performed by the power supply.

4. (Original) The method of claim 2, wherein the method further comprises a selected one of outputting the power signal as the state signal, and forming the state signal based at least in part on the power signal.

5. (Original) The method of claim 1, wherein the event associated with a power button of the apparatus comprises a power button being pressed event.

6. (Original) The method of claim 1, wherein the negating comprises combining the state signal and the power button event signal.

7. (Original) The method of claim 1, wherein the method further comprises

receiving a device wake event signal signaling a device wake event of the apparatus; and

negating the device wake event signal, if the state signal signals the apparatus is in the AC failure state.

8. (Original) In an apparatus, a method of operation comprising:

receiving a state signal signaling whether the apparatus is in an AC failure state;

receiving a device wake event signal signaling a device wake event of the apparatus; and

negating the device wake event signal if the state signal signals the apparatus is in the AC failure state.

9. (Original) The method of claim 8, wherein the method further comprises

monitoring for absence of AC to a power supply of the apparatus; and

generating a power signal signaling AC failure on detection of absence of AC to the power supply.

10. (Original) The method of claim 9, wherein the monitoring and generating are performed by the power supply.

11. (Original) The method of claim 9, wherein the method further comprises a selected one of outputting the power signal as the state signal, and forming the state signal based at least in part on the power signal.

12. (Original) The method of claim 8, wherein the negating comprises combining the state signal and the device wake event signal.

13. (Original) A system comprising:

an arrangement to generate a state signal signaling whether the system is in an AC failure state; and

a first circuit coupled to the arrangement to receive the state signal and a power button event signal indicating an event associated with a power button of the

system, and to negate the power button event signal if the state signal signals the AC failure state.

14. (Original) The system of claim 13, wherein the system further comprises a monitor to monitor for presence or absence of AC to a power supply of the system, and to generate a power signal signaling accordingly.

15. (Original) The system of claim 14, wherein the system further comprises the power supply, and the monitor is an integral part of the power supply.

16. (Original) The system of claim 14, wherein the system further comprises a second circuit coupled to the power supply and the first circuit, to generate the state signal based at least in part on the power signal, and to provide the first circuit with the state signal.

17. (Original) The system of claim 13, wherein the first circuit comprises a signal combiner circuit element to combine the state signal and the power button event signal.

18. (Original) The system of claim 13, wherein

the system further comprises at least one hardware element equipped to generate a device wake event signal signaling a device wake event of the system; and

the first circuit is also equipped to negate the device wake event signal, if the state signal signals the apparatus is in the AC failure state.

19. (Original) The system of claim 13, wherein the system further comprise a networking interface.

20. (Original) A system comprising:

an arrangement to generate a state signal signaling whether the system is in an AC failure state; and

a first circuit coupled to the arrangement to receive the state signal and a device wake event signal signaling a device wake event of the system, and to negate the device wake event signal if the state signal signals the AC failure state.

21. (Original) The system of claim 20, wherein the system further comprises a monitor to monitor for presence or absence of AC to a power supply of the system, and to generate a power signal signaling accordingly.

22. (Original) The system of claim 21, wherein the system further comprises the power supply, and the monitor is an integral part of the power supply.

23. (Original) The system of claim 21, wherein the system further comprises a second circuit coupled to the power supply and the first circuit, to generate the state signal based at least in part on the power signal, and to provide the first circuit with the state signal.

24. (Original) The system of claim 20, wherein the first circuit comprises a signal combiner circuit element to combine the state signal and the device wake event signal.

25. (Original) The system of claim 20, wherein the system further comprise a networking interface.

26. (Original) An apparatus comprising:

a first input terminal to receive a first signal indicating presence or absence of AC to a power supply of a system;

a second input terminal to receive a second signal indicating a power button event of the system; and

a first combiner circuit element coupled to the first and second input terminals to combine the two signals to negate the second signal whenever the first signal signals absence of AC to the power supply.

27. (Original) The apparatus of claim 26, wherein the apparatus further comprises

a third input terminal to receive a third signal indicating a device wake event of the system; and

a second combiner circuit element coupled to the first and third input terminals to combine the two signals to negate the third signal whenever the first signal signals absence of AC to the power supply.

28. (Original) The apparatus of claim 27, wherein the first and third terminals are one of the same terminal, and the first and second signal combiner circuit elements are one of the same signal combiner circuit element.

29. (Original) An apparatus comprising:

a first input terminal to receive a first signal indicating presence or absence of AC to a power supply of a system;

a second input terminal to receive a second signal indicating a device wake event of the system; and

a first combiner circuit element coupled to the first and second input terminals to combine the two signals to negate the second signal whenever the first signal signals absence of AC to the power supply.

30. (Original) The apparatus of claim 29, wherein the first and second input terminals are input pins.

Appendix B: Evidence

No evidence has been submitted under 37 C.F.R. 1.130, 1.131, or 1.132. No evidence entered by Examiner has been relied upon by Appellants in the appeal.

Appendix C: Related Proceedings

None. There are no related appeals or interference proceedings currently pending, which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.